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*Attorneys for Federal Deposit Insurance Corporation  
as receiver for Community Bank of Nevada*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

**-o0o-**

FEDERAL DEPOSIT INSURANCE CORPORATION,  
AS RECEIVER FOR COMMUNITY BANK OF  
NEVADA,

Plaintiff,

vs.

26 FLAMINGO, LLC, OUTBACK STEAKHOUSE OF  
FLORIDA, LLC, A FOREIGN LIMITED LIABILITY  
COMPANY, DOE INDIVIDUALS 1 through 10; and  
ROE CORPORATIONS 1 through 10,

Defendants.

Case No.: 2:11-cv-1936-JCM-NJK

**STIPULATION AND  
ORDER  
DISMISSING CASE**

**WHEREAS**, Plaintiff Federal Deposit Insurance Corporation, as Receiver for Community Bank of Nevada ("FDIC"), and Defendant 26 Flamingo, LLC, ("26 Flamingo") have entered into a Mutual Settlement Agreement and Release, and the terms of the Mutual Settlement Agreement and Release having been satisfied, except for effectuating the mutually agreed upon dismissal of this case;

**IT IS HEREBY STIPULATED** between the FDIC, by and through its attorneys of record, and 26 Flamingo, by and through its attorneys of record, pursuant to LR-6-2, 7-1, and Fed. R. Civ. P. 41(a)(1), that this case shall be dismissed, with prejudice, each party bearing its own fees and costs.

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Dated: October 17, 2013.

/s/ *Peter E. Dunkley*

By:

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*Attorneys for Plaintiff*

Dated: October , 2013.

/s/ *Joel Z. Schwarz*

By:

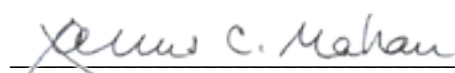
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Attorneys for Defendant/Counterclaimant 26  
 Flaming, LLC

**IT IS SO ORDERED:**

  
 \_\_\_\_\_  
 UNITED STATES DISTRICT JUDGE

DATED: October 18, 2013